IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 8TH DECEMBER 2006 / 17TH AGRAHAYANA 1928

WP(C).No. 24105 of 2006(T)

PETITIONER:

V. VIKRAMAN PILLAI, AGED 41 YEARS,
S/O. VELUPILLAI, PLAVILA MELATHIL VEEDU,
VETTILATHAZHAM, DECENT JUNCTION P.O.,
KOLLAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY
SECRETARY TO ITS CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT SUPERINTENDENT OF POLICE
KOLLAM.

3. THE SUB INSPECTOR OF POLICE
KOLLAM EAST POLICE STATION.

4. THE REGIONAL TRANSPORT OFFICER,
KOLLAM.

5. SMT.KANTHA DEVI, NO.82, ADIAYAPPA
NIKKAETCH STREET, 1ST FLOOR, CHENNAI.

6. M/S. KRISHNA AUTO CONSULTANT &
FINANCE AGENT, OPPOSITE OF S.P.M. AUDITORIUM,
PALLIMUKKU, KOLLAM.

BY ADV. SRI.K.S.MANU (PUNUKKONNOOR)
SRI.P.SREEKUMAR
GOVERNMENT PLEADER SRI.K.A.AKBAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC NO.24105 OF 2006

PETITIONER'S EXHIBITS:

EXT.P1:- TRUE PHOTOCOPY OF THE RELEVANT PAGES OF THE R.C.BOOK.

EXT.P2:- TRUE PHOTOCOPY OF THE PETITION DATED 6/7/2005.

EXT.P3:- TRUE PHOTOCOPY OF THE PETITION DATED 15/7/2005.

EXT.P4:- TRUE PHOTOCOPY OF THE ORDER OF THE 4TH RESPONDENT DATED 30/8/2006.

jsr

R.BASANT, J

W.P.C.No.24105 of 2006

Dated this the 8th day of December 2006

JUDGMENT

The grievance of the petitioner is that no action has been taken on Ext.P2 complaint which he had allegedly submitted before the Sub Inspector of Police, Kollam East Police Station. The learned public Prosecutor, on instructions submits that no such complaint has been received by the Sub Inspector of Police. There is no acknowledgment of any such complaint by the Sub Inspector of Police, Kollam East Police Station or for any subsequent complaint made before the Superintendent of Poice. The learned counsel for the respondents 4 and 5 points out that Ext.P2 complaint, even if accepted, does not reveal any cognizable offence also.

2. I need not go into those controversies. If the petitioner has any grievance that any cognizable offence has been committed against him, it shall be open to the petitioner to file an appropriate complaint before the police. Needless to say, if any cognizable crime is allegedly committed by any of the respondents or others, the police shall be bound to take appropriate action, in accordance with law.

3. There is a dispute between the parties as to whether the tax in respect of the vehicle can be remitted by the petitioner and to

facilitate that, the registration certificate which is admittedly in the possession of Respondents 4 and 5 should be released to the petitioner. Parties can seek their civil remedies on the basis of the agreement which is said to be entered into between them. I find no reason for this court to exercise powers under Article 227 to issue any direction. This writ petition is in these circumstances dismissed with the above observation.

(R.BASANT, JUDGE)

jsr

R.BASANT, J

C.R.R.P.No.

ORDER

21ST DAY OF JULY 2006